

REGISTER



South Dakota Legislative Research Council

Volume 39

Monday, 8:00 a.m., August 6, 2012

NOTICES OF PROPOSED RULES: (The date in parentheses is the date the rules were filed in the Legislative Research Council.)

Department of Education: Board of Education: (August 2, 2012) intends to amend rules to implement a new accountability system for South Dakota's public schools, in light of the waiver releasing South Dakota from certain provisions of No Child Left Behind. The general authority for these rules, as cited by the board, is SDCL §§ 13-3-48, 13-3-51, 13-3-55, 13-3-62, 13-3-64, 13-3-66, 13-3-67, 13-3-69, and 13-42-33.

A public hearing will be held at the MacKay Building Board Room, Second Floor, 800 Governors Drive, Pierre, South Dakota, on August 23, 2012, at 11:00 a.m. CT. Copies of the proposed rules may be obtained without charge from the Department of Education, 800 Governors Drive, Pierre, South Dakota 57501-2294 or from the Internet at <http://www.doe.sd.gov/board/index.aspx>.

Written comments may be sent to the board at the address above and must be received by August 22, 2012, to be considered. This hearing is being held in a physically accessible place. Persons who have special needs for which the department can make arrangements are asked to call (605) 773-5669 at least 48 hours before the hearing.

FILINGS IN THE SECRETARY OF STATE'S OFFICE:

Executive Appointments:

Kristin P. Gohn, Huron, was appointed on August 1, 2012, to the **Board of Examiners for**

Speech-Language Pathology, effective July 30, 2012, and shall continue until July 30, 2015.

Shirley J. Hauge, Rapid City, was appointed on August 1, 2012, to the **Board of Examiners for Speech-Language Pathology**, effective July 30, 2012, and shall continue until July 30, 2014.

Jane C. Heinemeyer, Wentworth, was appointed on August 1, 2012, to the **Board of Examiners for Speech-Language Pathology**, effective July 30, 2012, and shall continue until July 30, 2013.

Brittany D. Schmidt, Renner, was appointed on August 1, 2012, to the **Board of Examiners for Speech-Language Pathology**, effective July 30, 2012, and shall continue until July 30, 2015.

Marilyn A. Vietor, Pierre, was appointed on August 1, 2012, to the **Board of Examiners for Speech-Language Pathology**, effective July 30, 2012, and shall continue until July 30, 2014.

Linda K. Biffert, Volga, was reappointed on August 3, 2012, to the **Board of Service to the Blind and Visually Impaired**, effective immediately and shall continue until June 30, 2015.

Brian J. Bonde, Sioux Falls, was reappointed on August 3, 2012, to the **State Arts Council**, effective immediately and shall continue until June 30, 2015.

Mary B. Bordeaux, Pine Ridge, was reappointed on August 3, 2012, to the **State Arts Council**, effective immediately and shall continue until June 30, 2015.

Karla Bucknall, Rapid City, was reappointed on August 3, 2012, to the **Board of Service to the Blind and Visually Impaired**, effective immediately and shall continue until June 30, 2015.

Lynne M. Byrne, Sioux Falls, was reappointed on August 3, 2012, to the **State Arts Council**, effective immediately and shall continue until June 30, 2015.

Lynda K. Clark, Rapid City, was reappointed on August 3, 2012, to the **State Arts Council**, effective immediately and shall continue until June 30, 2015.

Lyle Cook, Eagle Butte, was reappointed on August 3, 2012, to the **Board of Service to the Blind and Visually Impaired**, effective immediately and shall continue until June 30, 2015.

Justine P. Estes, Rapid City, was appointed on August 3, 2012, to the **State Arts Council**, to replace Linda Anderson, effective immediately and shall continue until June 30, 2013.

James O. Hansen, Pierre, was reappointed on August 3, 2012, to the **Western Interstate Commission for Higher Education**, effective immediately and shall continue until June 30, 2016.

James L. Johnson, Brookings, was appointed on August 3, 2012, to the **State Arts Council**, to replace Larry Lyngstad, effective immediately and shall continue until June 30, 2015.

Eric M. Rippentrop, Dell Rapids, was appointed on August 3, 2012, to the **Board of Service to the Blind and Visually Impaired**, to replace Dave Miller, effective immediately and shall continue until June 30, 2015.

Steve Sneer, Brookings, was reappointed on August 3, 2012, to the **American Dairy Association of South Dakota**, effective immediately and shall continue until June 30, 2015.

Marilyn Steffen, Yankton, was reappointed on August 3, 2012, to the **Board of Service to the Blind and Visually Impaired**, effective immediately and shall continue until June 30, 2015.

Daniel E. Weischedel, Sturgis, was appointed on August 3, 2012, to the **Board of Service to the Blind and Visually Impaired**, to replace Wesley Scholl, effective immediately and shall continue until June 30, 2015.

Note: A copy of the rules may be obtained directly from the above agencies. Write to the agency at the address given under "Notices of Proposed Rules." There is no charge for proposed rules. The following agencies have permission from the Interim Rules Review Committee to charge for adopted rules: the Division of Insurance, the Cosmetology Commission, the State Board of Examiners in Optometry, the State Plumbing Commission, the Board of Nursing, the Department of Social Services, the State Electrical Commission, the South Dakota Board of Pharmacy, the Real Estate Commission, the Gaming Commission, the Department of Revenue and Regulation, and the Department of Labor for Article 47:03.

REMINDER OF HEARINGS SCHEDULED

8-8-2012	Labor and Regulation: Banking Commission and the Division of Banking	Amend rules to clarify the types of mutual funds that may be invested in or held by banks chartered and regulated by the Division of Banking; increase the annual asset based supervision fee paid by state-chartered trust companies and to establish a separate minimum and maximum fee amount payable by private and public trust companies; amend
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		the trust administration duties that must be done in South Dakota by public trust companies to comply with a statutory requirement; repeal an unnecessary proof of experience requirement for certain mortgage license applicants; and remove unnecessary transition language related to continuing education requirements; 39 SDR 15.
8-16-2012	Governor's Office of Economic Development	Amend rules to allow public or private developers, in addition to political subdivisions, to submit applications for certified sites; establish a uniform standard for certification revocation; and clarify the basis for site certification; 39 SDR 19.
8-17-2012	Agriculture: Board of Veterinary Medical Examiners	Amend a rule to provide for a more efficient Exam Board response to veterinary technicians and their employers as veterinary technicians complete the personal interview requirement prior to becoming registered; 39 SDR 15.
8-21-2012	Labor and Regulation: Division of Insurance	Amend rules to set standards for selling annuities or life insurance when replacing other coverage and define the term initial pretrial hearing; 39 SDR 19.
8-23-2012	Education: Board of Education	Amend rules to implement a new accountability system for South Dakota's public schools, in light of the waiver releasing South Dakota from certain provisions of No Child Left Behind; 39 SDR 23.
9-7-2012	Tourism: State Historical Society	Amend rules to set standard fees for services provided by the State Historical Society; revise the State Historic Preservation Office's review and handling of property tax moratorium applications; and alter when recipients of Deadwood Fund preservation grants from the State Historic Preservation Office must file the required preservation covenant for the grant; 38 SDR 199.

RULES REVIEW COMMITTEE MEETINGS

The next meeting of the Interim Rules Review Committee will be held Tuesday, August 14, 2012, via the Digital Dakota Network (DDN) in Room 414, Fourth Floor, of the State Capitol. Other DDN sites will be: Aberdeen – Northern State University, 1200 S. Jay St., Room Lib 116; Huron – DHS, 2361 Dakota Ave. S; Mitchell – Mitchell Technical Institute, 1800 E. Spruce, Room TC 155; Rapid City – SD School of Mines and Technology, 501 E. St. Joseph St., Room CB 109; Sioux Falls – SF University Center, 4801 N. Career Ave., Room FADM 145; and Yankton – DOT, 1306 W. 31st St. The committee chair has set the following tentative meeting schedule for the 2012 interim: September 18, November 13, and December 18.

Note: An updated version of the Administrative Rules Guide to Form and Style is available on the Legislative Web site at <http://legis.state.sd.us/rules/index.aspx>.